

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed July 10, 2008 ("Office Action"). Claims 1-21 are pending in the Application and stand rejected. Claim 2 has been amended.¹ Applicants respectfully request reconsideration and favorable action in this case.

The Effective Filing Date of the Application Antedates *Steinrisser*

Claims 1, 3-12, 15-17, and 20 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 7,376,934 to Steinrisser *et al.* ("*Steinrisser*"). *Steinrisser*'s face indicates that its U.S. filing date and § 102(e) date is June 11, 2003. *See Steinrisser*. The pending Application claims the benefit of foreign priority under § 119(a)-(d) to Italian patent application number MI2002A002419, filed November 15, 2002, as an extension of international patent application PCT/EP03/12826, filed November 13, 2003. Applicants submit herewith a certified English language translation², thereby perfecting a claim of priority under § 119. *See* M.P.E.P. § 706.02(b). Applicants respectfully submit that a review of the English translation of the Italian priority document will establish that the priority document satisfies the enablement and description requirements of 35 U.S.C. § 112, thus completing perfection of the claim for priority to Italian patent application number MI2002A002419. *See id.* Accordingly, Applicants respectfully submit that the priority date of the present Application antedates *Steinrisser* and request that the rejections of the claims under § 102(e) be withdrawn.

Claims 2, 13, 14, 18, 19, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Steinrisser* in view of U.S. Patent Application Publication No. 2003/0196102 to McCarroll ("*McCarroll*"). In view of the above, Applicants respectfully submit that *Steinrisser* is an improper § 103 reference because the filing date of *Steinrisser* is subsequent to the priority date of the present Application. As it has not been shown that each and every limitation of the pending claims are taught or suggested by *McCarroll* or that it would have been

¹ Applicants respectfully submit that the amendments to claim 2 merely remove unnecessary element numbers from this claim and do not change the scope of the claim.

² The Examiner already has a certified copy of the Italian patent application number MI2002A02419 (See Public Pair entry dated 07/18/2006).

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obvious to one of ordinary skill in the art to modify *McCarroll* to account for all of the limitations of the pending claims, Applicants respectfully request that the § 103 rejections be withdrawn.

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CONCLUSION

Applicants have now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all claims.

Any circumstance in which the Applicants have (a) addressed certain comments of the examiner does not mean that the Applicants concede other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or cancelled a claim does not mean that the Applicants concede any of the examiner's positions with respect to that claim or other claims.

No fees are currently believed to be due. However, the Commissioner is hereby authorized to charge any other deficiencies or required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

Respectfully submitted,

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